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10/660,782	09/12/2003	Gyoo Min Han	LT-0039	5857
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FLESHNER & KIM, LLP			MUHAMMED, ABDUKADER S	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/660,782	Applicant(s) HAN, GYOO MIN	
	Examiner Abdukader Muhammed	Art Unit 2635	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claims 4 and 16 are objected to because of the following informalities:

In claim 4, lines 1-2 “the reading out **are** reproducing information” should be “the reading out **and** reproducing information” to be consistent.

In claim 16, line 2 “**disc** are the same disc ” should be “**discs** are the same disc” to be consistent.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 5-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirayama et al. (US 6,128,434).

Regarding Claim 1, Hirayama et al. teach a play control method in an optical disc player comprising: setting a reproduction mode of a user menu in the optical disc player (the modes are

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set after the user/operator enters his/her selection from the menu; see column 11, lines 26-30 and lines 38-46), storing the set reproduction mode (it is stored in Menu Screen Memory 403, see column 12 lines 38-44); and reading out and reproducing information recorded on a disc in accordance with the stored reproduction mode (information is reproduced; see column 11, lines 46-53 and step S9 in figure 7). See figure 7 and the process of the flowchart that is described in column 11.

Regarding Claim 2, as applied to claim 1 above and Hirayama et al. further teach that the reading out and reproducing information is performed when the stored reproduction mode corresponds to the recording information and reproduction modes read out from the disc (after the modes are determined the processing section 203 searches in the data area of the disk; see column 46-53).

Regarding Claim 3, as applied to claim 1 above and Hirayama et al. further teach that the user menu comprises at least one of reproduction modes respectively associated with a subtitle language (subtitle language), an audio language (speech language) [see column 12, lines 11-15], and an audio format (formats like tenor and bass; see column 15, lines 65-66).

Regarding Claim 5, as applied to claim 1 above and Hirayama et al. further teach that the storing comprises storing a predetermined code value corresponding to the set reproduction mode (after the user selects from the menu it is stored in Menu Screen Memory 403, see column 12 lines 38-44).

Regarding Claim 6, as applied to claim 1 above and Hirayama et al. further teach that the information recorded on the disc comprises corresponding recording information for at least one

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of reproduction modes respectively associated with at least one subtitle language (subtitle language), at least one audio language (speech language) [see column 12, lines 11-15], and at least one audio format (formats like tenor and bass; see column 15, lines 65-66). For details see figure 3B, 4, and 6.

Regarding Claim 7, as applied to claim 6 above and Hirayama et al. further teach that the recording information recorded on the disc has a value corresponding to a predetermined code value (there are corresponding content codes for every information see figure 3B, 4, and 6).

Regarding Claim 8, as applied to claim 1 above and Hirayama et al. further teach that the user selects the reproduction mode through a remote device operation (a remote control section; see column 13, lines 62-65) or a data entry device of the optical disc player (a display section 601 and selection button 603; see column 13, lines 39-42 and figure 11).

Regarding Claim 9, as applied to claim 1 above and Hirayama et al. further teach that the set reproduction mode is retrievably stored in the optical disc player (the select information pieces are stored in the form of a table in the history data memory 404; see column 12, lines 56-57 and figure 9).

Regarding Claim 10, as applied to claim 1 above and Hirayama et al. further teach that the reading out and reproducing information comprises: loading a first optical disc into the optical disc player, playing corresponding information recorded on the first disc in accordance with the stored reproduction mode (see column 12 lines 18-53 and figures 7 and 10B); loading a second optical disc into the optical disc player, and playing corresponding information recorded on the second disc in accordance with the stored reproduction mode (every time a disc is loaded the same process applies).

Regarding Claim 11, Hirayama et al. teach a play control method in an optical player/DVD player comprising: setting a prescribed reproduction mode in the DVD player (the modes are set after the user enters his/her selection from the menu; see column 11, lines 26-30 and lines 38-46), and playing information recorded on a plurality of subsequently loaded discs in accordance with the stored reproduction mode (once the history data is accumulated in the history data memory 404, subsequent discs will be played accordingly until the user changes the setting. See column 13, lines 2-12).

Regarding Claim 12, as applied to claim 11 above and Hirayama et al. further teach that the prescribed reproduction mode includes subtitle (subtitle language), audio language (speech language) [see column 12, lines 11-15], or an audio format (formats like tenor and bass; see column 15, lines 65-66).

Regarding Claim 13, as applied to claim 11 above and Hirayama et al. further teach that the user selects the reproduction mode through a remote device operation (a remote control section; see column 13, lines 62-65) or a data entry device of the optical disc player (a display section 601 and selection button 603; see column 13, lines 39-42 and figure 11).

Regarding Claim 14, as applied to claim 11 above and Hirayama et al. further teach that the set reproduction mode is retrievably stored in the DVD/optical disc player (the select information pieces are stored in the form of a table in the history data memory 404; see column 12, lines 56-57 and figure 9).

Regarding Claim 15, as applied to claim 11 above and Hirayama et al. further teach that the playing comprises: loading a first optical disc into the DVD player, playing corresponding information recorded on the first disc in accordance with the set prescribed reproduction mode

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(see column 12 lines 18-53 and figures 7 and 10B); loading a second optical disc into the DVD player, and playing corresponding information recorded on the second disc in accordance with the set prescribed reproduction mode (every time a disc is loaded the same process applies).

Regarding Claim 16, as applied to claim 15 above and Hirayama et al. further teach that the first and second discs are the same disc. Note that standardized discs are used; see column 4, lines 24-30 and the abstract.

Regarding Claim 17, Hirayama et al. teach a play control method in an optical disc player comprising: setting a reproduction mode of a user menu in the optical disc player (the modes are set after the user enters his/her selection from the menu; see column 11, lines 26-30 and lines 38-46), and retrievably storing the set reproduction mode (the select information pieces are stored in the form of a table in the history data memory 404; see column 12, lines 56-57) in the optical disc player for use with two or more loaded discs (once the history data is accumulated in the history data memory 404, subsequent discs will be played accordingly until the user changes the setting. See column 13, lines 2-12).

Regarding Claim 18, as applied to claim 17 above and Hirayama et al. further teach that the set reproduction mode includes subtitle (subtitle language), audio language (speech language) [see column 12, lines 11-15] or audio format (formats like tenor and bass; see column 15, lines 65-66), wherein said setting a reproduction mode includes a user-selected reproduction mode (the modes are set after the user/operator enters his/her selection from the menu; see column 11, lines 26-30 and lines 38-46), and wherein the user selection is performed through a remote device operation (a remote control section; see column 13, lines 62-65) or a data entry device of

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the optical disc player (a display section 601 and selection button 603; see column 13, lines 39-42 and figure 11).

Regarding Claim 19, as applied to claim 17 above and Hirayama et al. further teach that the method of reading out and reproducing information recorded on a disc in accordance with the stored reproduction mode (after the user selects the mode, the mode is stored in memory and then information is reproduced accordingly; see column 11, lines 46-53 and step S9 in figure 7). See figure 7 and the process of the flowchart that is described in column 11.

Regarding Claim 20, which is construed as invoking a means-plus-function, Hirayama et al. teach an optical disc player, comprising: means for setting a reproduction mode of a user menu in the optical disc player [*user selection is performed by a remote control section (see column 13, lines 62-65) or by a display section 601 and selection button 603 (see column 13, lines 39-42 and figure 11)*], and means for retrievably storing the set reproduction mode in the optical disc player for use with two or more loaded discs [*the select information pieces are stored in the form of a table in the history data memory 404 (see column 12, lines 56-57 and figure 9); once the history data is accumulated in the history data memory 404, subsequent discs will be played accordingly until the user changes the setting (see column 13, lines 2-12)*].

5. Claims 1, 2, 9-11, 14, 15, 17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (US 2003/0039472 A1).

Regarding Claim 1, Kim teaches a play control method in an optical disc player comprising: setting a reproduction mode of a user menu in the optical disc player (a set-up menu provides the user to select the user's preference for the audio data, the multilingual caption data, and the various setup data; see page 1, paragraph [0008]), storing the set reproduction mode; and



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reading out and reproducing information recorded on a disc in accordance with the stored reproduction mode (see page 1, paragraph [0011]).

Regarding Claim 2, as applied to claim 1 above and Kim further teaches that the reading out and reproducing information is performed when the stored reproduction mode corresponds to the recording information and reproduction modes read out from the disc (see figure 2 and page 2, paragraph [0024]).

Regarding Claim 9, as applied to claim 1 above and Kim further teaches that the set reproduction mode is retrievably stored in the optical disc player (see page 1, paragraph [0011]).

Regarding Claim 10, as applied to claim 1 above and Kim further teaches that the reading out and reproducing information comprises: loading a first optical disc into the optical disc player, playing corresponding information recorded on the first disc in accordance with the stored reproduction mode; loading a second optical disc into the optical disc player, and playing corresponding information recorded on the second disc in accordance with the stored reproduction mode (see claim 1 of Kim in page 3).

Regarding Claim 11, Kim teaches a play control method in a DVD player comprising: setting a prescribed reproduction mode in the DVD player (selecting a user's preference from menu; see step 22 in figure 2), and playing information recorded on a plurality of subsequently loaded discs in accordance with the stored reproduction mode (executing the stored or configured subtitle menu whenever a new optical medium is played)(see page 2 paragraph [0021]).

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Regarding Claim 14, as applied to claim 11 above and Kim further teaches that the prescribed reproduction mode is retrievably stored in the DVD player (a system for storing a user's preference is provided; see page 1, paragraph [0011]).

Regarding Claim 15, as applied to claim 11 above and Kim further teaches that the playing comprises: loading a first optical disc into the DVD player, playing corresponding information recorded on the first disc in accordance with the set prescribed reproduction mode (reproducing data according to the user's preference for the first disc, see figure 2); loading a second optical disc into the DVD player, and playing corresponding information recorded on the second disc in accordance with the set prescribed reproduction mode (see page 1 paragraph [002]).

Regarding Claim 17, Kim teaches a play control method in an optical disc player comprising: setting a reproduction mode of a user menu in the optical disc player (a setup menu provides the user to select the user's preference for the audio data, the multilingual caption data, and the various setup data; see page 1, paragraph [008], lines 1-3), and retrievably storing the set reproduction mode in the optical disc player for use with two or more loaded discs (storing user's preference for reconfiguring a newly loaded optical medium; see page 1, paragraph [0011]).

Regarding Claim 19, as applied to claim 17 above and Kim further teaches that the reading out and reproducing information recorded on a disc in accordance with the stored reproduction mode (see page 1, paragraph [0011] and abstract).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al. (US 6,128,434) as applied to claim 1, above, further in view of Yokota et al. (US 2001/0040842 A1).

Regarding Claim 4, Hirayama et al. teach the limitations of claim 1 for the reasons discussed above. Hirayama et al. differ from the claimed invention in that the disc is not played according to the default reproduction mode.

Yokota et al. teach a reproducing apparatus and method that reproduces data from a record medium on which text information is recorded in a plurality of languages and wherein a language that has been designated is used as a default language. Thus, without need to select a language, text information in the default language is automatically read from a record medium and displayed (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of using the default language when there is no match between the user's selection and the modes in the disc in the system of Hirayama et al. since Yokota et al. teach "when text information in a plurality of languages is read to the memory, since a priority language has been designated, if the priority language does not match a user's desired language, the user should designate the desired language. Thus, the user's language determination operation becomes complicated (see page 1, paragraph [0008])." Note this why the invention uses the default language instead of reentering another language by the user (see abstract and page 1, paragraph [0009]).

***Conclusion***

8. The prior art made of record in PTO-892 Form and not relied upon is considered pertinent to applicant's disclosure.

Sawabe et al. (US 6,965,727 B1) teach that an information record medium such as a DVD disc, and a reproducing apparatus in which a user designates desired audio information; the inputting device is used to input the designation information. Then, the control information corresponding to the designation information inputted in this manner is read out from the information record medium by the reading device (see figure 1 and 2).

Miyagawa (US 2003/0086681 A1) teaches a digital versatile disk player in which a setup screen capable of setting and changing languages of a sound, a caption and a menu screen at once is displayed on a display apparatus 21. When an up-and-down key is operated and a desired language is selected and a confirmation key is operated, the languages of the sound, the caption and the menu screen are set and changed at once. Therefore, operability of a user can be improved and these languages can be set simply (see abstract and figure 5).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdukader Muhammed whose telephone number is (571) 270-1226. The examiner can normally be reached on Monday-Thursday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*am*

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21 December 2006

A handwritten signature in black ink, appearing to read "Marvin Lateef". The signature is fluid and cursive, with the first name "Marvin" and last name "Lateef" clearly distinguishable.

**MARVIN LATEEF**  
**SUPERVISORY PATENT EXAMINER**